

Agricultural Marketing Service, USDA

§ 1218.7

- 1218.44 Alternate members.
- 1218.45 Procedure.
- 1218.46 Compensation and reimbursement.
- 1218.47 Powers and duties.
- 1218.48 Prohibited activities.

EXPENSES AND ASSESSMENTS

- 1218.50 Budget and expenses.
- 1218.51 Financial statements.
- 1218.52 Assessments.
- 1218.53 Exemption procedures.
- 1218.54 Programs, plans, and projects.
- 1218.55 Independent evaluation.
- 1218.56 Patents, copyrights, trademarks, information, publications, and product formulations.

REPORTS, BOOKS, AND RECORDS

- 1218.60 Reports.
- 1218.61 Books and records.
- 1218.62 Confidential treatment.

MISCELLANEOUS

- 1218.70 Right of the Secretary.
- 1218.71 Referenda.
- 1218.72 Suspension and termination.
- 1218.73 Proceedings after termination.
- 1218.74 Effect of termination or amendment.
- 1218.75 Personal liability.
- 1218.76 Separability.
- 1218.77 Amendments.
- 1218.77 OMB control numbers.

Subpart B—Procedure for the Conduct of Referenda in Connection with the Blueberry Promotion, Research, and Information Order

- 1218.100 General.
- 1218.101 Definitions.
- 1218.102 Voting.
- 1218.103 Instructions.
- 1218.104 Subagents.
- 1218.105 Ballots.
- 1218.106 Referendum report.
- 1218.107 Confidential information.

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Subpart A—Blueberry Promotion, Research, and Information Order

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EDITORIAL NOTE: Nomenclature changes appear at 66 FR 37118, 37119, July 17, 2001.

DEFINITIONS

§ 1218.1 Act.

Act means the Commodity Promotion, Research, and Information Act

of 1996 (7 U.S.C. 7401–7425; Pub. L. 104–127; 110 Stat. 1029), or any amendments thereto.

§ 1218.2 Blueberries.

Blueberries means cultivated blueberries grown in or imported into the United States of the genus *Vaccinium* *Corymbosum* and *Ashei*, including the northern highbush, southern highbush, rabbit eye varieties, and any hybrid, and excluding the lowbush (native) blueberry *Vaccinium Angustifolium*.

§ 1218.3 Conflict of interest.

Conflict of interest means a situation in which a member or employee of the U.S.A. Cultivated Blueberry Council has a direct or indirect financial interest in a person who performs a service for, or enters into a contract with, the USACBC for anything of economic value.

[65 FR 43963, July 17, 2000, as amended at 66 FR 37118, July 17, 2001]

§ 1218.4 Crop year.

Crop year means the 12-month period from November 1 through October 31 of the following year or such other period approved by the Secretary.

§ 1218.5 Department.

Department means the U.S. Department of Agriculture.

§ 1218.6 Exporter.

Exporter means a person involved in exporting blueberries from another country to the United States.

§ 1218.7 First handler.

First handler means any person, (excluding a common or contract carrier), receiving blueberries from producers and who as owner, agent, or otherwise ships or causes blueberries to be shipped as specified in the Order. This definition includes those engaged in the business of buying, selling and/or offering for sale; receiving; packing; grading; marketing; or distributing blueberries in commercial quantities. This definition includes a retailer, except a retailer who purchases or acquires from, or handles on behalf of any producer, blueberries. The term first handler includes a producer who